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WHY IS CANADA NOT A PART OF THE UNITED STATES?

Read before the U. S. Catholic Historical Society, Nov. 25th 1889, by John Gilmary Shea.

Six score years ago England ruled supreme over all the northern part of this continent. From Hudson Bay to the Gulf of Mexico no flag but hers fluttered in the breeze. From the region of perpetual snow to the region of Spring in North America, no rule was recognized but George's of England.

All, however, was not peace and calm. Discontent pervaded the land. Men clamored for rights which they claimed as the inalienable birthright of British subjects. Delegates at last met from the various colonies. This body assumed the title of Continental Congress, for it proposed to represent not a few colonies only, but the Continent. As the Continental Congress it finally met England in battle and carried on a seven years' war. Nothing less than the Continent satisfied the aspirations of the grand and noble minds who planned the union of the colonies into a vast republic. Why then did the close of the war find their plan defeated, the republic dwarfed, confined between the northern lakes and shut off from the Gulf of Mexico, with England holding Canada as a perpetual menace to her peace and prosperity?

Perhaps Canada was settled by men full of devotion to the house of Hanover, grateful for favors, eager to show her their loyalty. On the contrary, it was a colony where England was hated as a power, alien in blood, alien in

language, alien in religion; a power submitted to only after a struggle in which the Canadians, left almost unaided by France, had tested the resources of England to crush them, and after being beaten to the earth had in a last desperate effort, almost regained the day.

* Canada was writhing under the yoke, her people were too numerous to be torn from their homes by England and scattered far and wide like the unhappy Acadians of Nova Scotia; but if England made concessions, she was only biding her time, to crush them utterly.

Canada was ripe for revolt. The Continental Congress and its wise leaders counted surely on the adhesion of the Canadians in their struggle with England, at first simply a struggle for the right to govern and tax themselves, a right as essential to the prosperity of Canada as to that of any other colony.

The Continental Congress issued "an address to the inhabitants of the province of Quebec," inviting them to act in concert with the other colonies. "We are too well acquainted," says this address drawn up by John Dickinson, "we are too well acquainted with the liberality of sentiment distinguishing your nation, to imagine that difference of religion will prejudice you against a hearty amity with us. You know that the transcendent nature of freedom elevates those who unite in her cause above all such low minded infirmities. The Swiss cantons furnish a memorable proof of this truth. Their union is composed of Roman Catholic and Protestant States, living in the utmost concord and peace with one another, and thereby enabled, ever since they bravely vindicated their freedom to defy and defeat every tyrant that has invaded them." *

* See address of Congress to the Oppressed Inhabitants of Canada. Pennsylvania Packet. June 19, 1775. "We perceive the fate of the Catholic Colonies to be linked together." Evidences teem in the papers of the day of the active sympathy of the Canadians. "There is advice from Canada that Governor Carlton having in vain endeavored by fair means to engage the Canadians in the service against the Colonies, he attempted to compel them

Among the Canadian clergy many were openly in favor of the Colonies. One * was driven out of the province by the British officials, others were kept under strict watch, one a man of high social position, and member of a religious order, threw himself into the movement, and when Canadian regiments were raised for the Continental service this priest, the Rev. Mr. Lotbinière was commissioned by Congress as chaplain, and served during the whole war of the Revolution.†

The two Canadian regiments were constantly kept up by recruits, and maintained their organization till the army was disbanded at the peace.

Canada evidently was ready to join the cause of American freedom. Jesuit and Recollect and Secular priest favored it; the Canadians themselves shouldered the musket as the best proof.

In the outlying parts of the old French province the same feeling prevailed. The Indians in the province of Maine, who had been converted to Christianity by the French missionaries from Canada, at once sided with the colonies, and their Catholic Chief Orono had a commission from Congress.

In the west, the French in Indiana and Illinois, with by force, in which there was an insurrection of 3,000 men to oppose that force. . . . It is said they are determined to observe a strict neutrality." *Pennsylvania Packet*, Aug. 14, 1775. "A party of regulars went out in a floating battery" (near Ticonderoga,) "to drive off our Canadians about 500 in number, who were at work on the east battery but were repulsed three days successively." *Pennsylvania Packet*, Oct. 30, 1775. "A party of our troops with the Canadians took possession of Chambly." Letter of Oct. 23d in *Pennsylvania Packet*, Nov. 13, 1775, "The Canadians in general, on this side of the St. Lawrence are very friendly to us, almost unanimously so along the river Sorel, where they are actually embodied and in arms, altogether to the number of more than 1,000." *Pen. Packet*, Nov. 20, 1775.

* Rev. Peter H. de la Valinière. See Gen. Haldimand's order expelling him. *U. S. Catholic Hist. Mag.* III. p. 88.

† Hamersly "Army Register," Washington, 1881, p. 32. "Life and Times of Archbishop Carroll," New York, 1888, p. 144.

their priest, Rev. Pierre Gibault, received Clark with open arms and aided him to drive the English out of that part of the country. The flower of the young Frenchmen of the West perished in gallant attempt to drive the English beyond the lakes.* Even in the heart of Canada, the Indians, converted by the French priests, were so friendly to the Americans, that Burgoyne, who could use Brant to massacre the settlers of Cherry Valley, Wyoming and Esopus, failed to enlist these Catholic Indians in his work of blood, and in an address of reproach he loaded them with abuse.

Why then, if the Continental Congress wished the co-operation of Canada, if Canada and her French and Indian population were full of sympathy for the cause, why is it that England was able to secure that province and so gain its discontented people as to make it a stronghold against us, the base of constant operations?

The answer of history must be, that this great blow to American hopes, this disastrous result was due to an anti-Catholic bigotry fostered in New York, of which John Jay was the prime mover and instigator, and which as a delegate to the Continental Congress he succeeded in foisting into some of the acts of that body. That man stands out in history as the embodiment of narrow and short sighted views, who was willing to sacrifice to their unholy gratification, the best interests of America.

To see the man as he really was, we need only open the Journal of the Convention which framed the first Constitution for the State of New York in 1777, and follow the actions of Jay.

There was bigotry in New York. Public policy demanded that in the struggle with England all such feelings should be buried. Real statesmen sought to dispel this feeling, but Jay fostered and stimulated it. He was in full accord with those who ran up a flag in New York with "No Popery" inscribed upon it. He was in full accord with those whose anti-Catholic feeling led them to drive the

* In the Expedition of Mottin de la Balme.

Catholic MacDonalds from the Mohawk and force them to place themselves under the flag they hated, the flag of the Hanoverian—in full accord with those who sent those stalwart Highlanders within the British lines when they would gladly have avenged Culloden!

In the Constitutional Convention of 1777, Jay appears as the advocate of blind unreasoning bigotry, as Gouverneur Morris was the champion of toleration, liberalism and all that is broad and farseeing in statesmanship. The County of Westchester gave the leaders of the two policies.

When the question of naturalization came up, the paragraph in the proposed Constitution excited the wrath of Jay. He sprang to his feet at once to offer an amendment requiring the applicant "to abjure and renounce all allegiance and subjection to all and every foreign king, prince, potentate and State in all matters ecclesiastical and civil."

Morris opposed the amendment with all his eloquence and proposed a substitute committing naturalization to the legislature: but Jay had evoked the hostile feeling, and his amendment was carried. In vain did Morris, battling in the cause of human freedom, endeavor to alter the clause, the amended section was carried, and though Livingston appealed for a reconsideration, the Constitution was adopted with Jay's amendment, and till the Constitution of the United States vested the entire control of naturalization in the Federal government, no Catholic immigrant could become a citizen in the State of New York—though he might show wounds received in battle against England, for he could not on oath renounce allegiance to the Pope, as head of the Church.

When the clause of the proposed Constitution came up for debate, in which it was declared "that the free toleration of religious profession and worship shall forever hereafter be allowed to all mankind," Jay found it too broad. He introduced an amendment giving the legislature power at any time to deny toleration to any denomination at its option.

Debates followed, and a majority seemed loth to con-

cede such a power; but Jay dropped the mask and proposed a new amendment showing his real object: "Except the professors of the religion of the Church of Rome, who ought not to hold lands in or be admitted to a participation of the civil rights enjoyed by the members of this State, until such time as the said professors shall appear in the Supreme Court of this State, and there most solemnly swear that they verily believe in their consciences that no pope, priest, or foreign authority on earth hath power to absolve the subjects of this State from their allegiance to the same. And further, that they renounce and believe to be false and wicked, the dangerous and damnable doctrine that the Pope or any other earthly authority hath power to absolve men from their sins, described in and prohibited by the Gospel of Jesus Christ: and particularly that no Pope, priest or foreign authority on earth hath power to absolve them from the obligation of this oath."

We can almost picture him to ourselves in wild frenzy, with bloodshot eyes, foaming at the mouth and gesticulating like a madman, as he read this proposed amendment, the rigmarole of stupid ignorance.

The amendment found advocates in the body, such anti-Catholic feeling had Jay evoked, and it was lost by a vote of 19 to 10, not two-thirds voting for it.

Still unappeased, Jay moved another amendment; Livingston insisted that it was virtually the same as the last; but the house held otherwise, and though modified by an amendment of Morris, it was passed in a form which gave Jay hope that Catholicity could never gain a foothold in this State. The grand, broad charter of toleration as proposed at first was blotted from the Constitution of New York.

When we consider that at this moment men, as Bancroft drily remarks, had outgrown the silly anti-catholic raving about the Quebec Act,* that the United States were using

* As soon as the Quebec Act was proposed in Parliament protests against it appeared in the American papers. It was after the Boston Port Bill con-

every effort to gain Catholic France as an ally, and that a show of amity to professors of the faith of Rome in the several States would have aided the cause of Independence, we can imagine what bitter hatred of Catholicity seethed in the heart of John Jay, where no consideration of public policy could whisper a counsel of moderation.

If his spirit showed itself in this shape in 1777, we can imagine what it was three years earlier. And yet, unfortunately, it was to this man that Congress gave a fatal power by confiding to him the preparation of the "Address to the People of Great Britain," and this at the very time when the wise and judicious Dickinson framed the conciliatory address to the Canadian people, and Congress sent Commissioners with a Catholic priest to influence Canadian adhesion to the common cause.

A man of Jay's temper could not lose the opportunity of introducing his favorite topic. The Quebec Act, by which the Canadian French were left in the enjoyment of their religion and their former laws, in Canada, and at the feeble set-

sidered as the greatest of their wrongs. See Postscript to Philadelphia Packet, Aug. 15, 1774.

The following stanza from a song shows the temper of the times, to the tune of "O my Kitten, my Kitten :

" Then heigh for the penance and pardons,
And heigh for the faggots and fires ;
And heigh for the Popish church wardens,
And heigh for the priests and the friars ;
And heigh for the rare-e show relics
To follow my Canada Bill-e
With all the Pope's mountebank tricks ;
So prithee, my baby, be still-e
Then up with the papists, up, up,
And down with the Protestants down-e
Here we go backwards and forwards
And all for the good of the Crown-e."

Philadelphia Packet, Aug. 29, 1774.

The Act was given in full in the same paper in the Supplement to No. 150, Sep. 5, 1774 and in the paper itself, the violent Protest of the City of London.

lements of Detroit, Vincennes and Kaskaskia, afforded Jay the means of counteracting the whole beneficent policy of Congress.

He was one of those who pretended that the act of justice to the conquered French by which they were allowed to enjoy religious freedom, and live at least for a time under their own system of laws, was a subtle scheme of Great Britain to compass the ruin of her old colonies.* The experience of more than a century shows that England acted wisely.

But Jay, then a young fanatic of twenty-nine, could see nothing but the triumph of the Catholic religion. As to his authorship of the Address there is no doubt. "The Address to the People of Great Britain," says his biographer, "was assigned to Mr. Jay. To secure himself from interruption, he left his lodgings and shut himself up in a room in a tavern, and there composed that celebrated state paper, not less distinguished for its lofty sentiments, than for the glowing language in which they are expressed."

Unfortunately, we cannot agree with this opinion. The Address is narrow-minded, bigoted, fanatical and shortsighted. Congress was at first led away by the silly prejudice aroused by the Quebec Act, and it took some time before it outgrew the feeling. Though Congress did at last, Jay never did.

In this address, unfortunately issued in the name of Congress, Catholicity is branded as "a religion fraught with sanguinary and impious tenets." Then developing

* Influenced by men like him, Congress in Sept. 1774, said: "The late Act of Parliament for establishing the Roman Catholic religion . . . is dangerous in an extreme degree." *Philadelphia Packet* Sept. 19, 1774. The paper of the 12th, contained a contribution against the Act addressed to the King. But the subject was soon dropped with only an occasional reference to it, and in the papers of June 19, 1775, we find an address of Congress to the oppressed inhabitants of Canada, and that of July 10, gives a bill introduced into the House of Lords by Lord Camden for the repeal of the Quebec Act.

his idea, Jay adds: "By another act the Dominion of Canada is to be so extended, modelled and governed, as that by being disunited from us, detached from our interests, by civil as well as religious prejudice, by their numbers daily swelling with Catholic emigrants from Europe, and by their devotion to administration, so friendly to their religion, they might become formidable to us, and on occasion be fit instruments in the hands of power to reduce the ancient free Protestant colonies to the same state of slavery with themselves. . . .

"Nor (the address continues) can we suppress our astonishment that a British parliament should ever consent to establish in that country a religion that has deluged your island in blood, and dispersed impiety, bigotry, persecution, murder and rebellion through every part of the world."

"This being a true state of facts, let us beseech you to consider to what end they lead.

"Admit that the Ministry by the powers of Britain, and the aid of our Roman Catholic neighbors should be able to carry the point of taxation, and reduce us to a state of perfect humiliation and slavery. Such an enterprise would doubtless make some addition to your national debt," etc.

In a few words: nothing would satisfy John Jay but penal laws against the Catholics in Canada, and the establishment of English laws there. He wished no part or fellowship with them, and would rather see the Canadians remain under English rule, than have Catholics on our side.

Such was not the view of Congress. On the 15th of February, 1776, it was—"Resolved that a committee of three—two of whom be members of Congress—be appointed to repair to Canada, there to pursue such instructions as shall be given them by that body."

Benjamin Franklin, Samuel Chase and Charles Carroll, of Carrollton were chosen, and the last named was desired by Congress "to prevail on Mr. John Carroll to assist

them in such matters as they shall think useful."

The Catholic priest responded to the call and accompanied the Commissioners to aid them "to promote or to form a union between the colonies and the people of Canada."

The instructions to the Commissioners all tended to this, "To convince the Canadians of the uprightness of our intentions towards them, they were to declare that it was the inclination of Congress that the people of Canada should set up such a form of government as would be most likely in their judgment, to promote their happiness. And the commissioners were, in the strongest terms to assure them, that it was our earnest desire to adopt them into our union as a sister colony and to secure the same system of mild and equal laws for them and for ourselves, with only such local differences as might be agreeable to each colony respectively."

"They were directed further to declare that that we held sacred the rights of conscience; and should promise to the whole people solemnly, in the name of Congress, the free and undisturbed exercise of their religion; and to the clergy the full, perfect and peaceable possession and enjoyment of all their estates; that the government of everything relative to their creed and clergy should be left entirely in the hands of the good people of that province, and such legislature as they should constitute; provided however, that all other denominations of Christians should be equally entitled to hold offices and enjoy civil privileges, and the free exercise of their religion as well as be totally exempt from the payment of any titles or taxes for the support of religion." *

Congress had been forced by the bigotry of a few to denounce the Quebec Act in terms which showed more religious hate than sound political wisdom, but good sense

* This was asking Canada to give Protestants greater rights than Massachusetts or New York gave Catholics in 1800; or New Hampshire did in 1876.

was gaining the day, and the allusion to the Quebec Act in the Declaration of Independence of 1776 is so obscure that few now understand it, and on the point of religion it is silent.

At the time of the appointment of the Commissioners everything indicated the possibility of securing the co-operation or at least the neutrality of the Canadians. At Montreal, the King's statue was smeared over and decorated with a necklace of potatoes; a leading Canadian gentleman was insulted and struck; and the feelings of the people in favor of Congress was so clearly shown that the British Colonel stationed there threatened to use the powder he had to blow up the city.

The parishes around Chambly, openly joined the American cause; those in the government of Three Rivers, Nicolet, Becancour, Gentilly and St. Pierre refused to send a man in response to the call for militia to fight against the Americans. Carleton's proclamation was disregarded.† The Caughnawaga Indians sent all their warriors to the American camp, and the British agent appointed to that tribe confesses that he could find no one to side with him, except one miscreant who had been expelled from the village for his notorious vices.

It might be thought that as the Canadians and colonists to the South had more than once served in arms against each other, there must have been a feeling of hostility. But it should be remembered that they never took up arms for any quarrel of their own, they had both been forced to expend their blood and their means, because France and England chose to go to war, and America became the scene of hostility for disputes in which it had no interest, and when it really needed peace.

The colonists, whether of French or English origin,

† "This Proclamation so far from compelling the Canadians to take up arms, only produced the greatest aversion and repugnance to his orders." Smith, "History of Canada," Quebec, 1815, p. 76.

whether in Canadian or the old British colonies had common interests, and had a common history. They had reclaimed the wilderness by their sturdy labor, reared their modest homes, and spread their rich fields of grain, their fisheries, their manufactures crippled only by the policy of the home government. Both trained in the same hard nursery of frugal industry had been compelled to defend their hard bought property against Indian foes; both saw advantages in peaceful trade and free intercourse.

From the first, Canada had sought to bind herself closely to the English colonies by the bonds of commerce, and amity; she had proposed a plan of neutrality so that, though France and England might in the ambitious projects of their state-craft, make Europe one vast charnel house, peace should reign amid the settlements in America, and each man pursue his avocations undisturbed by the sound or even the thought of war. Canada asked that Indians should not be employed in war; and not till the streets of her thriving town of Lachine were lighted by the flames of the burning houses, and strewn with the mangled corpses of men, women and children slaughtered by Indians sent from New York by the bigotry roused by the English Revolution of 1688, did Canada summon to her standard the multitudinous tribes to which her influence reached.

Between Canada and the Colonies there was and never had been but one bar, an insensate anti-Catholic feeling.

When the Commissioners appointed by Congress to undo the mistakes of the past and form a close union reached Canada, General Arnold was in command of Montreal; Canadians were flocking to the American standard, and all seemed to promise the speedy union of Canada with the other colonies, but just then Jay's handiwork, the Address of Congress to the people of Great Britain, was translated and scattered among the people of Canada.

There instead of flattering words of harmony, toleration and union, they found themselves denounced, their religion

execrated, the very idea of union with them scouted. A general burst of indignation followed. "O the perfidious double faced Congress!" cried the people. "Let us bless and obey our benevolent prince, whose humanity is consistent, and extends to all religions; let us abhor all who would seduce us from our loyalty." From that moment the tide of opinion changed. Doubt and suspicion prevailed; the leaders of the Canadians threw their influence in the British scale, and Canada was lost. In vain did the Commissioners labor to efface the impression produced by the spirit which dictated the Address to the People of Great Britain.

The Canadians as a body could not be induced to send delegates to a Congress which could put forward two doctrines so utterly irreconcilable, one all friendship and brotherhood; the other unjust, vindictive, oppressive and malignant. Events soon occurred which made their conviction deeper. that the colonies as a whole were imbued with bitter hatred of Canada and her religion. The fugitive Scots from the Mohawk told their tale; the debates in New York convention became known. Gradually all or nearly all Canada became alienated, indifferent to our cause. Yet never had there been a greater opportunity. As Colonel Barré declared on the floor of Parliament reading from a letter written by a military friend in Canada, the French there would not fight against the Americans. When the British authority summoned them to train as militia, they hid their guns in the woods and came with sticks, declaring that if they must fight, it would be against the English, and not for them.

Down to the Battle at the Cedars, the Caughnawagas fought under the Continental flag, at severe loss.

Canada was assured to England. It became the basis for operations against this country in the East and West. Burgoyne was sent over with an army: the Canadians, overawed and overpowered, were forced into service; the hostile Indians in New York and the West were organized against our frontiers, and went forth to destruction led by white men in English pay. From Quebec to Green Bay every post was

a fomenter of Indian raids on the homes of the hardy settlers.

A broad belt of fire and blood marks the scene of their inhuman warfare, and all this misery and woe were brought upon the country by the hostility to the Catholic Church, a hostility which deprived us of Canada, and esteemed the welfare of America, as of no account, when weighed against the gratification of religious hatred.

When, by the aid of the army and fleet of a Catholic ally, an English army was forced to yield at Yorktown and Great Britain lost all hope of reducing the United States to their old colonial condition, Canada might still have been secured, and would have been, but for John Jay, who was unfortunately one of those appointed by Congress to negotiate with England.

Franklin and Adams were fully alive to the necessity of securing Canada, for Americans ever to have a real peace with England. This too, was the feeling in the Continental Congress, which wrote to its envoys in August, 1779, "It is of the utmost importance to the peace and commerce of the United States, that Canada and Nova Scotia should be ceded." To secure Canada, Franklin even proposed to indemnify the loyalists for their losses, but when John Jay joined the others in Paris, he threw his whole weight on the English side. He was opposed to the annexation of Canada, true to his old anti-Catholic instincts rather than to the welfare of America. He opened correspondence with the English ministry without the knowledge of his fellow negotiators, and he was not only willing to give up Canada to England, but offered her an equal right to the navigation of the Mississippi River, and insisted on making the new republic assume the payment of debts due by persons residing in the colonies to creditors in England before the war, although he was well aware that the Continental Congress was utterly powerless under the Articles of Confederation to compel the payment of such claims. The very failure of the United States on this

point was made by England a pretext, for maintaining a hold on our western country, which cost thousands of lives, checked settlements, and desolated the homes of the brave frontiersmen.*

The result was soon 'seen. England held Canada, and not only that, but from Canada maintained posts at Niagara, Detroit, on the Maumee and on Lake Michigan, which by the treaty of peace were territory of the United States. Her Indian agents gained the Western chiefs and supplied the tribes with arms, while constantly fostering their hostility to the United States. The defeats of Harmar and St. Clair were due to English arms and English guidance. And if Wayne defeated the Indians on the soil of Indiana, it was under the very guns of a fort which England had planted on our soil.

At last John Jay, one of the most prominent among those who caused this terrible and lasting scourge to America was sent to England, and he, in order to induce England to retire within her own Canadian boundaries, signed a treaty which excited universal execration.

Thirty-six years passed, and we were again at war with England: Canada had become thoroughly submissive under the British yoke. Her increasing population gave soldiers and officers to maintain English supremacy, and to aid in repelling the forces we sent to reduce the province. England still exercised an influence over our Western Indians and again incited them to massacre and arson, while Tecumseh, with a royal commission, fought with his Indian braves beside the British regulars.

Deeply, deeply has the country atoned in blood, for the error of 1774. Had the liberal and Christian spirit of a Morris and a Livingston been able to counteract the malignant purblindness of Jay, the flag of the United States would have floated for the last century over the Continent.

* Bancroft, *History of the United States*, v. pp. 537, 568, 371, 575.